

1 SEDGWICK LLP
2 REBECCA A. HULL Bar No. 99802
3 rebecca.hull@sedgwicklaw.com
4 MARK J. HANCOCK Bar No. 160662
5 mark.hancock@sedgwicklaw.com
6 333 Bush Street, 30th Floor
7 San Francisco, CA 94104
8 Telephone: (415) 781-7900
9 Facsimile: (415) 781-2635

10 Attorneys for Defendant

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 JOHN DEL GALLEGOS,

14 Plaintiff,

15 v.

16 WELLS FARGO & COMPANY LONG TERM
17 DISABILITY PLAN, and METROPOLITAN
18 LIFE INSURANCE COMPANY,

19 Defendant.

Case No. C13-4518 VC

STIPULATION TO MODIFY BRIEFING
SCHEDULE FOR CROSS-MOTIONS FOR
JUDGMENT AND ~~PROPOSED~~ ORDER

AS MODIFIED

20 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff John Del
21 Gallegos and defendants Wells Fargo & Company LTD Disability Plan and Metropolitan Life
22 Insurance Company (“defendants”), by and through their respective counsel of record, as
23 follows:

24 1. On October 24, 2014, the Court issued its order (ECF 25) adopting a briefing
25 schedule previously proposed by the parties, under which plaintiff’s opening brief would be due
26 on October 20, 2014, defendants’ opposition and cross-motion brief would be due on October
27 27, 2014, plaintiff’s reply and opposition to defendants’ cross-motion would be due on
28 November 3, 2014, and the matter would be heard as a half-day bench trial on December 10,
2014.

2. On Wednesday, October 22, 2014, the attorney responsible for preparing
MetLife’s briefs, Rebecca Hull, experienced a family medical emergency when her spouse

sustained a severe back injury, which ultimately necessitated a lengthy hospital visit on Saturday, October 25, and has required most of her time and attention since October 22, making it impossible to complete the opening brief for MetLife in time for filing on October 27, 2014, under the current schedule. Upon discussion with counsel for plaintiff, the parties have agreed to the following extension of the current dates in light of this unexpected development and its anticipated duration to at least Wednesday, October 29, 2014, and request that the Court approve and adopt such dates:

- a. Plaintiff's opening brief, October 20, 2014 [already filed].
- b. Defendants' brief in opposition to plaintiff's motion and in support of defendants' cross-motion, November 6, 2014;
- c. Plaintiff's reply in support of plaintiff's motion and opposition to defendants' cross-motion, November 17, 2014;
- d. Defendants' reply in support of their cross-motion, November 24, 2014;
- e. Hearing/bench trial on December ¹⁷~~16~~, 2014, ~~as currently scheduled, or at the Court's convenience.~~

IT IS SO STIPULATED.

DATED: October 26, 2014 LAW OFFICES OF LAURENCE F. PADWAY

By: /s/ Laurence F. Padway (as authorized on 10/27/14)

Laurence F. Padway
Attorneys for Plaintiff
John Del Gallego

DATED: October 26, 2014 SEDGWICK LLP

By: /s/ Rebecca A. Hull

Rebecca A. Hull
Mark J. Hancock
Attorneys for Defendants

Sedgwick^{LLP}

ORDER AS MODIFIED

Upon the stipulation of the parties and good cause appearing therefor, IT IS SO ORDERED.

Date: November 4, 2014

